

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

DONNA CURLING, et al.,)	
)	
Plaintiffs,)	CIVIL ACTION FILE NO.:
)	1:17-cv-2989-AT
v.)	
)	
BRIAN KEMP, et al.,)	
)	
Defendants.)	

SPECIAL APPEARANCE OF KAREN C. HANDEL

COMES NOW the HONORABLE KAREN C. HANDEL, Member of the United States House of Representatives (hereinafter “Representative Handel”), a named litigant in the above-styled action pursuant to O.C.G.A. § 21-2-524(f), and, without consenting to the Court’s jurisdiction or waiving any rights with respect to service, files this Special Appearance. Due to the Special Process Summons served on August 31, 2017, Representative Handel files the present Special Appearance in an abundance of caution while specifically reserving, and not waiving, all defenses and objections to this lawsuit and the claims therein, including the fact that Representative Handel has already been sworn in as a Member of Congress and therefore this election contest is moot. There is currently no operative complaint in this action; however, to the extent an answer to the

Complaint is otherwise required at this time, Representative Handel denies that Plaintiffs are entitled to any relief in any form and respectfully requests that the Court dismiss the lawsuit in its entirety.

Representative Handel was served with a summons and copy of Plaintiffs' Verified Complaint for Declaratory Relief, Injunctive Relief, and Writ of Mandamus on August 31, 2017 in *Curling et al. v. Kemp, et al.*, Case Number 2017-cv-292233 in the Superior Court of Fulton County, Georgia. Such service came *after* the case had been removed to this Court and a first Amended Complaint had been filed with this Court. Although the case was removed to this Court on August 8, 2017, Representative Handel has not been served with a federal court summons or complaint. [Doc. 1].

The Special Process Summons provided ten (10) days after service in which to appear and answer the Complaint. As discussed at the September 1, 2017 conference with the Court, Plaintiffs have indicated that they intend to file an Amended Complaint and the Court set a September 15, 2017 deadline for them to do so. [Doc. 57]. In light of the foregoing, good cause exists for this Court to extend the time to file an answer, as provided in O.C.G.A. § 21-2-524(f).

Accordingly, Representative Handel makes her appearance before this Court and respectfully requests that this Court extend the deadline for her to file a

responsive pleading in this action until October 5, 2017, which is twenty (20) days after Plaintiffs' deadline to file their Amended Complaint. Representative Handel further requests that she receive notice through her undersigned legal counsel of all proceedings, hearing notices, orders, discovery, and other pleadings.

Respectfully submitted this 11th day of September, 2017.

/s/ Vincent R. Russo

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CERTIFICATE OF COMPLIANCE

Pursuant to L.R. 7.1(D), the undersigned hereby certifies that the foregoing Special Appearance of Karen C. Handel, Candidate, has been prepared in Times New Roman 14, a font and type selection approved by the Court in L.R. 5.1(B).

/s/ Vincent R. Russo

Vincent R. Russo

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day electronically filed the within and foregoing **SPECIAL APPEARANCE OF KAREN C. HANDEL** with the Clerk of Court using the CM/ECF system, which will automatically send notification of such filing to counsel of record for all parties to this matter via electronic notification or otherwise.

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This 11th day of September, 2017.

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